

REMARKS

Reconsideration of the above-identified application in view of the present amendment is respectfully requested. By the present amendment, claims 1-21 have been amended and new claims 22-25 have been added. Claims 1-25 are pending in the application.

Claim 4 has been amended to overcome the 35 U.S.C. § 112, second paragraph rejections set forth in the Office Action. Regarding the objection to claims 16 and 17, claim 16 recites a passenger side A pillar, whereas claim 17 recites a driver side A pillar. Therefore, it is submitted that claims 16 and 17 are not duplicates and the objection to claims 16 and 17 should be withdrawn.

As amended, claim 1 recites a windshield curtain inflatable away from a roof of the vehicle to a position between a windshield of the vehicle and a vehicle occupant. In Henseler et al. (US 5,205,583), the air bag is inflated from the dashboard. The air bag in Henseler et al., being positioned above the dashboard when inflated as shown in Fig. 1, thus inflates toward the vehicle roof. Henseler et al. does not teach or suggest all of the limitations recited in claim 1. Therefore, the rejection of claim 1 should be withdrawn and claim 1 should be allowed. Claims 2-21 depend from claim 1 and should be allowed as depending from an allowable claim and for the specific limitations recited therein.

As amended, claim 2 recites the that side panels have respective peripheries with a first part shaped to follow a

surface of the instrument panel presented generally toward an occupant of the vehicle and a second part shaped to follow an upper surface of the instrument panel presented toward the vehicle roof. In Henseler et al., the respective peripheries of the side panels clearly have no portions that follow the upper surface of the dashboard. In fact, in Henseler et al., the peripheries of the side panels extend away from the upper surface of the dashboard. Therefore, claim 2 is allowable for these further reasons.

Claim 8 recites a retainer portion having an outlet portion that extends through aligned openings of the center panel and is interconnected with the overlying end portions of the center panel. Contrary to that which is stated in the Office Action, in Henseler et al., there is no retainer portion. Therefore, claim 8 is allowable for these further reasons. Claims 9-11 depend from claim 8 and recite further structure of the retainer portion. Therefore, claims 9-11 are allowable for these further reasons.

As amended, claim 12 recites that the side panels have a generally rounded L-shaped configuration in which one leg extends adjacent an upper surface of the instrument panel presented toward the vehicle roof and the other leg extends adjacent a front surface of the instrument panel presented toward the vehicle occupant. In Henseler et al., the side panels do not have a configuration that even comes close to resembling a rounded L-shape. Furthermore, as stated above in regard to claim 2, the side panels clearly have no portions adjacent the upper surface of the dashboard and, in fact, the

side panels extend away from the upper surface of the dashboard. Therefore, claim 12 is allowable for these further reasons.

Claim 13 recites that the windshield curtain includes a first chamber inflatable along a front surface of the instrument panel presented generally toward the vehicle occupant and a second chamber inflatable along the windshield and an upper surface of the instrument panel adjacent the windshield. In Henseler et al., the air bag, when inflated, does not extend along an upper surface of the dashboard. Therefore, claim 13 is allowable for these further reasons.

Claim 15 recites that the side portions of the center panel have cutout portions that reduce the width of the center panel and helps form the tapered configuration of the windshield curtain. As clearly shown in Fig. 2 of Henseler et al., the center panel has a rectangular configuration and includes no cutout portions that reduce the width of the center panel. Therefore, claim 15 is allowable for these further reasons.

Claim 17 recites that the windshield curtain when inflated extends between a driver side A pillar and a longitudinal centerline of the vehicle. This is not taught or suggested in Henseler et al. Henseler et al, makes no mention whatsoever of the driver side of the vehicle. Because the air bag of Henselere et al. is mounted in the dash, providing driver side protection would not be a matter of simply moving the air bag. Those skilled in the art would appreciate that driver side air bags and passenger side air bags have very

different configurations. Therefore, claim 17 is allowable for these further reasons.

Claim 18 recites that the windshield curtain when inflated extends between a driver side A pillar and a longitudinal centerline of the vehicle and between a passenger side A pillar and the longitudinal centerline of the vehicle. This is not taught or suggested in Henseler et al. As stated above, Henseler et al. does not even mention the driver side of the vehicle, let alone an air bag that covers both a driver side and passenger side of the vehicle. Therefore, claim 18 is allowable for these further reasons.

Claim 19 recites that the windshield curtain when inflated overlies at least a portion of an A pillar of the vehicle. In Henseler et al., the air bag clearly does not overlie any portion of the A pillar (see Fig. 1). Therefore, claim 19 is allowable for these further reasons.

Claim 20 recites that the side panels have a first portion and a second portion that extends transverse to the first portion. The first portions are shaped to extend along a surface of an instrument panel presented generally toward the vehicle occupant when the windshield curtain is inflated. The second portions are shaped to extend along an upper surface of the instrument panel when the windshield curtain is inflated. As stated above, this is not taught or suggested in Henseler et al. Therefore, claim 20 is allowable for these further reasons.

Claim 21 recites that the center panel has a width measured perpendicular to its length and the side portions of